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GOVERNMENT OF PUNJAB

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Housing-II Branch)

NOTIFICATION

The 10th March, 2025

No.18/20/24-6HG2/351.- In view of difficulties being faced by the Promoters due to lack of any policy to surrender the Industrial Park Project(including Industrial Estates/ Focal Points/ Textile Parks/ Food Parks/ IT Parks/ Electronics Parks/ Agro Parks),the Governor of Punjab is pleased to supersede the “Policy for Surrender of Licence” issued vide Notification No. 18/55/17-5hg2/1823 dated 18.10.2018 and hereby issue a policy for surrender of license issued to the colonies under Punjab Apartment and Property Regulation Act, 1995 and approval granted to Industrial Park Projectunder various Acts/Policies of the Govt. of Punjab.

1. Surrender of License of the colony under Punjab Apartment and Property Regulation Act, 1995 and/or surrender of approval of Industrial Park Project (including Layout Planand PAPRA exemption, if granted) would be allowed in the following cases:-

(i) Where the Promoter has not sold/allotted/ leased out any plot/apartment/built-up space nor has he undertaken any development works at the site of the colony and/or Industrial Park Projects. In such cases, the promoter will submit an affidavit attested by an Executive Magistrate assuring that no sale deed/allotment/lease deed for any plot/apartment/villa/house has been executed in the said colony/Industrial Park.

(ii) Where the promoter has sold/allotted/leased out any plot/apartment/built-up space in his licensed colony/Approved Industrial Park Project, then in such cases irrevocable consent from the allottees/plot holders/ apartment/built-up space owners in the form of an affidavit attested by an Executive Magistrate regarding no claim on the said property, will be submitted by the Promoter. Provided that if any construction has been raised in the licensed colony and/or Industrial Park Project the same has to demolished by the Promoter first, restoring the land to its original form, to the satisfaction of the Competent Authority.

2. Before surrendering the license of the colony and/or approval of Industrial Park Project, a 30 days public notice inviting objections from the public will be got published by the Competent Authority (the cost of which should be paid by the Promoter) in two leading National Daily Newspapers having wider circulation in the locality and in case any objection is received, then the Competent Authority, after giving an opportunity of

hearing to the parties concerned, shall take an appropriate decision for initiating further proceedings for surrender of License and/or approval of Industrial Park Project.

3. The charges deposited by the Promoter on account of Change of Land Use (CLU), License fees, SIF, UDF etc. will not be refunded. Further, forfeiture of 25% of the total amount of EDC received against that project, without interest/penal interest, shall be made in favour of the Authority and the balance amount of EDC would be refunded without any interest to the Promoter. In cases where less than 25% amount of EDC has been paid, then the entire amount of EDC deposited by the Promoter shall be forfeited. But if EDC or any other amount against any other project of the same Promoter is due to be paid to the Authority, then in that case the balance amount of EDC will not be refunded to the Promoter rather the same shall be adjusted against the outstanding dues of other project of the same Promoter. However, the dues shall be treated as transferred from the date of issue of order of cancellation of license and/or approval of Industrial Park Project only. The balance amount of EDC shall be refunded to the Promoter without any interest, only if no amount of EDC is due from other projects of the same Promoter.

4. The Promoter shall be solely responsible for any legal claims/liabilities in case he/she has availed any bank loan etc. on the basis of license of colony/approval of Industrial Park Project. Further, the Promoter shall also be solely responsible for any liabilities/bindings/penalties enforced by RERA, Punjab under Real Estate (Regulation and Development) Act, 2016 and rules framed there under. The Authority/Government would not be responsible for any legal implications. The Promoter will submit an undertaking in the form of an affidavit duly attested by an Executive Magistrate, in this regard.

Further, the promoter shall be bound to furnish an undertaking that no legal proceeding is pending against this colony/Industrial park project in any court of law.

5. The Promoter will surrender the original License of the colony along with approved Layout Plan/ Building Plans/ Service plans etc. and shall surrender original Layout Plan/Building Plan/ Service plans, PAPRA exemptions if granted etc. along with the approval letters in case of Industrial Park Projects to the Concerned Competent Authority before the issuance of approval for surrender of license and/or approval of Industrial Park Project.

6. Before issuance of approval for surrender of license and/or approval of Industrial Park Project, the Promoter shall submit an affidavit duly attested by an Executive Magistrate declaring therein that he/she will not sell any plot by sub dividing the land under the said colony area and Industrial Park project area without obtaining requisite fresh approval/license from the Competent Authority, failing which prosecution proceedings under the appropriate provisions of the Punjab Apartment and Property Regulation Act, 1995, The Punjab Regional and Town Planning and Development Act, 1995 and under any other Act/ Rules will be initiated against the promoter.

7. After surrender of the license of the colony and/or approval of Industrial Park Project has been approved by the Competent Authority, the Promoter may seek fresh permission for CLU and other mandatory approvals as per the guidelines of the Department of Housing & Urban Development and shall pay requisite prevailing charges. The Promoter shall also be bound to deposit the outstanding dues of statutory charges as levied by the Competent Authority.

8. Approval for surrender of license of the colony and/or approval of Industrial Park Project shall be uploaded on the website of PUDA/ concerned Development Authority for the information of General Public.

9. The Competent Authority to grant permission for surrender of License of the colony and/or approval of Industrial Park projects as stated above shall be the prevailing Competent Authority who has been delegated powers for grant of licence/ approval of Industrial Park Project by the Government, as per the delegation of powers.

10. Director, Town & Country Planning shall be the final Authority in case any dispute arises with respect to interpretation of any provision or clause under this policy.

Chandigarh

The 7th March, 2025

VIKAS GARG, IAS

Principal Secretary to Government of Punjab

Department of Housing and Urban Development

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